
Introduced by Senator Kuehl

February 21, 2003

An act to amend Section 575.1 of the Code of Civil Procedure, relating to courts.

LEGISLATIVE COUNSEL'S DIGEST

SB 721, as introduced, Kuehl. Courts.

Existing law authorizes the presiding judge of each superior and municipal court to prepare proposed local rules designed to expedite and facilitate the business of the court.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 575.1 of the Code of Civil Procedure is
2 amended to read:
3 575.1. (a) The presiding judge of each superior ~~and~~
4 ~~municipal~~ court may prepare, with the assistance of appropriate
5 committees of the court, proposed local rules designed to expedite
6 and facilitate the business of the court. The rules need not be
7 limited to those actions on the civil active list, but may provide for
8 the supervision and judicial management of actions from the date
9 they are filed. Rules prepared pursuant to this section shall be
10 submitted for consideration to the judges of the court and, upon
11 approval by a majority of the judges, the judges shall have the
12 proposed rules published and submitted to the local bar and others,



1 as specified by the Judicial Council, for consideration and
2 recommendations.

3 (b) After a majority of the judges have officially adopted the
4 rules, 61 copies or a greater number as specified by Judicial
5 Council rule, shall be filed with the Judicial Council as required
6 by Section 68071 of the Government Code. The Judicial Council
7 shall deposit a copy of each rule and amendment with each county
8 law library or county clerk where it shall be made available for
9 public examination. The local rules shall also be published for
10 general distribution in accordance with rules adopted by the
11 Judicial Council. Each court shall make its local rules available for
12 inspection and copying in every location of the court that generally
13 accepts *the* filing of papers. The court may impose a reasonable
14 charge for copying the rules and may impose a reasonable page
15 limit on copying. The rules shall be accompanied by a notice
16 indicating where a full set of the rules may be purchased.

17 (c) If a judge of a court adopts a rule that applies solely to cases
18 in that judge's courtroom, or a particular branch or district of a
19 court adopts a rule that applies solely to cases in that particular
20 branch or district of a court, the court shall publish these rules as
21 part of the general publication of rules required by the California
22 Rules of Court. The court shall organize the rules so that rules on
23 a common subject, whether individual, branch, district, or
24 courtwide, appear sequentially. Individual judges' rules and
25 branch and district rules are local rules of court for purposes of this
26 section and for purposes of the adoption, publication, comment,
27 and filing requirements set forth in the Judicial Council rules
28 applicable to local court rules.

